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DATE: December 19, 2005

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TO: United States Patent and Trademark Office  
COMPANY: Examiner Paul B. Prebilic, Art Unit 3738FAX NUMBER: 571-273-8300  
PHONE NUMBER:

FROM: Douglas A. Collier

DIRECT DIAL: (317) 238-6333

FAX NUMBER: (317) 636-1507

RE: Response to Office Action for U.S. Patent Application No. 10/624,981 to Thomas A. Zdeblick

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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Client Matter No.: 333 MSDI-168

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>	Application Number	10/624.981	
	Filing Date	July 22, 2003	
	First Named Inventor	Thomas A. Zdeblick et al.	
	Art Unit	3738	
	Examiner Name	Paul B. Preblich	
(to be used for all correspondence after initial filing)		Attorney Docket Number	MSDI-168/PC566.02
Total Number of Pages in This Submission		12	

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Krieg Devault, LLP		
Signature	<i>Douglas A. Collier</i>		
Printed name	Douglas A. Collier		
Date	December 19, 2005	Reg. No.	43,556

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Douglas A. Collier</i>		
Typed or printed name	Douglas A. Collier	Date	December 19, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent	)	
application of:	)	Before the Examiner
	)	
Thomas A. Zdeblick et al.	)	Paul B. Prebilic
	)	
Serial No. 10/624,981	)	
	)	Group Art Unit 3738
Filed: July 22, 2003	)	
	)	
SPINAL IMPLANTS AND TOOL FOR	)	December 19, 2005
INSERTION AND REVISION	)	
	)	Atty Docket No. 4002-3362/PC566.02

RESPONSE TO FIRST OFFICE ACTION

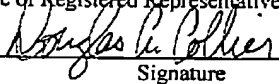
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Sir:

In response to the non-final office action mailed September 19, 2005, please consider the following. Please provide any extensions of time which may be necessary and charge any additional fees due to Deposit Account 12-2424, but not including the payment of issue fees.

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Name of Registered Representative  
  
Signature

December 19, 2005  
Date of Signature

Response to Office Action  
Ser. No. 10/624,981  
Atty Docket No. 4002-3362/PC566.02  
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